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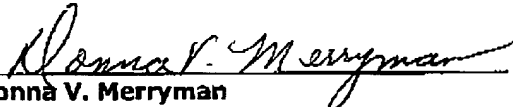
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\*\*\*\*\*OFFICIAL FAX\*\*\*\*\*

**Date:** February 9, 2005 **Number of pages (including cover):** 3  
**To:** Pierre M. Vital, U.S. Patent and Trademark Office  
**Fax No.:** (703) 872-9306  
**Serial No.:** 09/224,637  
**Title:** **METHOD AND APPARATUS FOR DUPLICATING BACKUP DATA**  
**From:** Melissa A. Beede  
**Direct dial:** 617.646.8287  
**Our File #:** E0295.70080US00

**CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being transmitted via facsimile to the attention of Examiner Pierre M. Vital, FAX number (703) 872-9306, at the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, in accordance with 37 C.F.R. §1.6(d), on the 9<sup>th</sup> day of February, 2005.

  
Donna V. Merryman

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**MESSAGE:** Transmitted herewith is an Interview Agenda for 2/10/05 interview.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicants: Yuval Ofek et al.  
Serial No: 09/224,637  
Confirmation No: 3449  
Filed: December 31, 1998  
For: METHOD AND APPARATUS FOR DUPLICATING  
BACKUP DATA

Examiner: Pierre M. Vital  
Art Unit: 2188

Commissioner for Patents  
Technology Center 3600  
P.O. Box 1450  
Alexandria, VA 22313-1450

Interview Agenda

In response to Examiner Vital's request, a proposed agenda for the telephone interview scheduled for February 10, 2005 is outlined below.

Claims 1-18, 26 and 27 have been allowed and claims 19-25 and 28 stand rejected in the above-referenced case. Claims 19-20, 23-24 and 28, including independent claim 19, are rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,647,474 ("Yanai"). Claims 21 and 25 are rejected under 35 U.S.C. §103(a) as allegedly being obvious over Yanai in view of U.S. Patent No. 5,680,580 ("Beardsley"). Claim 22 is rejected under 35 U.S.C. §103(a) as allegedly being obvious over Yanai in view of U.S. Patent No. 5,848,241 ("Misina").

Applicants' representatives would like to discuss the rejection of independent claim 19 under 35 U.S.C. §102(e) as allegedly being anticipated by Yanai. Applicants believe that Yanai does not disclose automatically establishing a connection through a network between a first primary storage element and a secondary storage element through which a first logical object can be transferred from the first primary storage element to the secondary storage element, as recited in claim 19. Yanai discloses a high speed link 40 coupled between primary and secondary data storage systems 14 and 46 (Col. 5, lines 51-56, cited by Examiner). High speed link 40 is a dedicated high speed point-to-point link (Col. 4, lines 54-59), such that no connection is established through a network. Accordingly, Applicants believe that Yanai does not disclose

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automatically establishing a connection through a network between a first primary storage element and a secondary storage element, as recited in claim 19

Applicants' representatives would like to discuss the above distinction, among others, of claim 19 with the Examiner. Applicants thank Examiner Vital for his courtesy in granting the telephone interview.

Respectfully submitted,

*Yuval Ofek et al., Applicants*

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